40. The process of claim 31 wherein the DNA probe corresponds to the nucleotide sequence coding for glycoproteins gp41 or gp120 of the HIV-3 retrovirus or the complement thereof.--

B12 Cont.

REMARKS

The active claims in this case are claims 31 and 37-40.

The specification has been amended to recite the relationship with the parent cases, and to incorporate portions of the preliminary amendment filed August 23, 1999 in parent case 09/379,270. A marked up version of the amendments to the Specification is attached hereto. The original application was filed without an abstract of the disclosure. This Preliminary Amendment is being filed to provide such an abstract. The title has been amended to reflect the subject of the present claims.

The specification at page 3 has been amended to introduce the current classification, HIV-1 subtype O virus, for what had been termed "HIV-3" in the original application. After the inventors first reported on their discovery of HIV-3, specifically variant ANT_{70}, the medical and scientific community recognized that HIV-3 should more appropriately be classified as a subtype of HIV-1. This subtype was designated "O" where O stands for "outliers". Several journal articles have been provided in the preceding case Serial No. 08/486,836 to substantiate the scientific recognition that HIV-3, e.g., ANT_{70}, is now classified as HIV-1 subtype O.

The new claims find support at page 30, line 25 through page 32, line16; pages 37-40; pages 50-53; and original claims 25-31. A marked up version of the claim amendments is attached.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/11362.0025.DVUS03.

Respectfully submitted,

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MARKED-UP VERSION OF CLAIMS

31. (Amended) A process for the detection of HIV-3 retrovirus or of its RNA in a biological liquid or tissue, characterized by contacting nucleic acids contained in said biological liquid or tissue with a <u>DNA</u> probe containing [a nucleic acid according to any of claims 25 to 30] <u>at least 360 contiguous sequences corresponding to the genomic RNA of HIV-3 retrovirus</u> under stringent hybridization conditions, washing the hybrid formed with a solution preserving said stringent conditions, and detecting the hybrid formed.

--37. The process of claim 31 wherein the DNA probe is:

10 CCCATGGATT	20 TGAAGATACA	30 CATAAAGAAA	40 TACTGATGTG	50 GAAGTTTGAT	60 AGATCTCTAG
70 GCAACACCCA	80 TGTTGCTATG	90 ATAACTCACC	100 CAGAGCTCTT	110 CCAGAAGGAC	120 TAAAAACTGC
130 TGACCTGAAG	140 ATTGCTGACA	150 CTGTGGAACT	160 TTCCAGCAAA	170 GACTGCTGAC	180 ACTGCGGGGA
190 CTTTCCAGTG	200 GGAGGGACAG	210 GGGGCGGTTC	220 GGGGAGTGGC	230 TAACCCTCAG	240 AAGCTGCATA
250 TAAGCAGCCG	260 CTTTCTGCTT	270 GTACCGGGTC	280 TCGGTTAGAG	290 GACCAGGTCT	300 GAGCCCGGGA
310 GCTCCCTGGC	320 CTCTAGCTGA	330 ACCCGCTCGT	340 TAACGCTCAA	350 TAAAGCTTGC	360 CTTGAGTGAG

A

or the complement thereof.

38. The process of claim 31 wherein the DNA probe is:

10 AACATGGGAA	20 ACGCATTGAG	30 AAAAGGTAAA	40 TTTGAGGGAT	50 GGGCAGCAGT	60 AAGAGAAAGA
70 ATGAGAAGAA	80 CTAGAACTTT	90 CCCTGAGTCT	100 GAACCATGCG	110 CACCTGGAGT	120 AGGACAGATC
130 TCCAGGGAAT	140 TAGCAGCTAG	150 AGGAGGGATA	160 CCAAGTTCCC	170 ATACTCCTCA	180 AAACAATGCA
190 GCCCTTGCAT	200 TCCTAGAAAG	210 TCACCAAGAG	220 GAAGAAGTAG	230 GTTTTCCAGT	240 AGCACCTCAA
250 GTGCCTCTAA	260 GGCCAATGAC	270 CTATAAAGGA	280 GCATTTGACC	290 TCAGCTTCTT	300 TTTAAAAGAA

310 320 330 340 350 360
AAGGGAGGAC TGGAAGGGTT AATTTACTCC CATAAAAGAG CAGAAATCCT GGATCTTTGG

GTGTATAA
or the complement thereof.

39. The process of claim 31 wherein the DNA probe corresponds to the nucleotide sequence coding for proteins p12, p16 or p25 of the HIV-3 retrovirus or the complement thereof.

40. The process of claim 31 wherein the DNA probe corresponds to the nucleotide sequence coding for glycoproteins gp41 or gp120 of the HIV-3 retrovirus or the complement thereof.--